

App. No.:10/605175  
Filed: September 12, 2003  
Conf. No.:2174

Page 6 of 6

### REMARKS

Applicant's attorney thanks the Examiner for his careful review of the specification. The errors noted have been corrected by the foregoing amendment.

The elected independent claims have been amended to more clearly define over the cited art. With respect to claim 1, it has been amended to incorporate the limitations of claim 2 and that claim has been canceled and the remaining claims renumbered, where necessary. Because of this amendment to claim 1, the rejection of claim 2 will be discussed to point out to the Examiner how applicant feels this amended claim patentably distinguishes over the Osborne and Friedmann references applied against claim 2. This claim was directed to the very simple and low cost in the way the external fluid communications are formed and which also permits a much more compact pump assembly. The claim requires a groove to be formed in only one side of the main body part communicating with the pumping cavity and which is closed by one of the end plates. The cut out openings 24 and 25 in Osborne are not grooves but full cut outs that are not closed by one of the end plates but are closed only by the action of both end plates requiring an added surface that must be sealed. The claim has been further amended to emphasize that the groove is formed in only one side of the main body portion, thus further emphasizing this distinction. The same differences from the Friedmann reference are present.

Independent claim 12 has also been amended to further emphasize its distinctions over the art. Although the invention spelled out here is different than that of claim 1, the same general argument applies. This claim calls for the way the gear is coupled to its shaft. This is done by forming a groove in one side face of the gear in which the coupling shaft is trapped by only one end plate. The Examiner relies on Haupt for his rejection of this claim. Haupt employs a through slot in the gear and the pin is axially located by a drilled passage in the shaft and the locking washers 22 axially locate the gears of the pump, an obviously more expensive and again larger way of doing this.

The remaining elected claims all depend directly or indirectly on those claims discussed and it is believed unnecessary to point out their additional distinctions over the cited art.

For the foregoing it is most respectfully submitted that this case is now in condition for favorable action.

Respectfully submitted:

  
Ernest A. Beutler  
Reg. No. 19901

Phone (949) 721-1182  
Pacific Time